REMARKS

The Office Action mailed on May 5, 2008 and Notice of Non-Compliant Amendment mailed on October 8, 2008 have been carefully reviewed and this paper is responsive thereto. Claims 1-55 stand rejected. By this response, claims 26, 47 and 51 have been cancelled and claims 1-3, 6-12, 21-25, 33, 35-39, 46, and 48 have been amended. No new matter was added.

Information Disclosure Statement

Applicants are filing an Information Disclosure Statement along with this Response.

Claims Rejected Under 35 USC §103

Claims 1-55 are rejected under 35 USC 103(a) as being unpatentable over Nishikawa, et al., U.S. Patent No. 5,619,494 ("Nishikawa") in view of Gillies, et al., U.S. Publication No. 20050180356 ("Gillies"). The Office Action states that Nishikawa disclose an access unit having a redundant topology for communication between one or more devices and a central hub, while Gillies disclose a communication system in which the same packet is transmitted on two paths, and therefore, it would have been obvious to use the teaching of Gillies in the system of Nishikawa. Applicants respectfully traverse the rejections.

Nishikawa discloses a single port of a concentrator that is branched into a plurality of ports by connecting a connector for the former-stage connector to the port of the concentrator and connecting the former-stage connector of the same structure in the other access unit to the connector for the latter-stage circuit to thereby cascade a plurality of access units. A LAN is expanded in a token ring topology by connecting the workstation to the port connector of each of the cascaded access units.

Gillies discloses a wireless multi-hop routing architecture to configure an ad hoc network automatically and to transport data. In particular, a multi-channel broadcast media access control (MAC) may be adapted to sense and hop around channel interference, and to perform concurrent sensing and load balancing across a set of channels. A multi-hop routing engine using this packet broadcast operator may allow a plurality of network nodes to organize themselves reliably into a communications network. By routing packets around the troubled areas, the routing engine

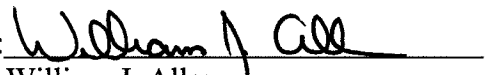
may heal nodal and link failures. It allows a wireless network to expand an existing installation without relocating any existing hub nodes.

Amended independent claims 1, 21, 33, and 46 each include claimed features of connection ports which are "Ethernet ports." Neither Nishikawa nor Gillies discloses or suggests use of Ethernet ports as claimed in each of these independent claims. In particular, Nishikawa merely discloses use of a token ring topology for use in a LAN and Gillies is concerned with wireless broadcasting. Therefore, for at least this reason independent claims 1, 21, 33, and 46 are allowable over Nishikawa and Gillies. Furthermore, each of independent claims 1, 21, and 33 have been further amended to include a "central switch" which Applicants believe is not disclosed by the combination of Nishikawa nor Gillies. Dependent claims 2-20, 22-25, 27-32, 34-45, which ultimately depend from one of independent claims 1, 21, 33, and 46 are allowable for at least the same reasons as the independent claim from which they ultimately depend.

Furthermore, independent claims 1, 21, 33, and 46 are allowable for at least one additional reason. While admitting that Nishikawa fails to disclose all the recited features of the pending claims, the Office Action suggests that Gillies corrects the deficiencies in Nishikawa. In particular, the Office Action suggests that it "would have been obvious to skilled in the art to use the teaching of Gillies in the system of Nishikawa in order to provide a reliable system that enables communication to continue even in the event of a malfunction in a cable." Applicants respectfully disagree with this suggested rationale for why a person of skill in the art would be motivated to combine Nishikawa and Gillies. Nishikawa discloses a wired LAN topology, whereas, Gilles is concerned with a wireless multi-hop routing architecture. In view of the manner in which Nishikawa describes expanding a token ring topology by connecting the workstation to the port connector of each of the cascaded access units there is no disclosed need or benefit for handling duplicate packets in the LAN topology of Nishikawa. In other words, Applicants respectfully submit that a person of skill in the art would not be motivated to modify Nishikawa to include the features of Gillies because the disclosure of Nishikawa and Gillies does not suggest that there would be a benefit in such a combination. Thus, for at least the above reasons, the combination of Nishikawa and Gillies fails to support a *prima facie* case of obviousness with respect to the pending claims.

Applicants respectfully requests reconsideration of the pending claims and a finding of their allowability. A notice to this effect is respectfully requested. Please feel free to contact the undersigned should any questions arise with respect to this case that may be addressed by telephone.

Date: October 15, 2008

By: 

William J. Allen
Registration No. 51,393
BANNER & WITCOFF, LTD.
10 South Wacker Drive
Suite 3000
Chicago, Illinois 60606
Telephone: 312-463-5000
Fax: 312-463-5001